

**REAL ESTATE BOARD  
MINUTES  
MADISON, WISCONSIN  
JANUARY 28, 1999**

**PRESENT:** Richard Hinsman, Harold Lee, Richard Kollmansberger, James Imhoff, Bettye Lawrence

**EXCUSED:** Jerome Nelson, Nancy Gerrard

**STAFF PRESENT:** Cletus Hansen, Donald Rittel; Division of Enforcement staff were present for portions of the meeting.

**GUESTS:** Rick Staff, WRA

**CALL TO ORDER**

The meeting was called to order at 10:15 a.m. by Jim Imhoff, Jr., Chair, upon confirmation that the public notice was timely given. A quorum of five members was present.

**AGENDA**

**MOTION:** Harold Lee moved, seconded Richard Hinsman, to adopt the agenda as published. Motion carried unanimously.

**MINUTES (12/10/98)**

**MOTION:** Richard Kollmansberger moved, seconded by Harold Lee, to approve the minutes as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Secretary Cummings' Report**

Secretary Marlene Cummings introduced the Department's new Deputy Secretary, June Suhling, to the Board and Board members introduced themselves to Ms. Suhling.

**Division Administrator's Report**

Cletus Hansen informed the Board of the fact that 2 Board members were out-of-state and would not be attending the meeting. He also discussed the alternatives available to the Board when there is a light agenda. One alternative is to attend the meeting by telephone conference.

Jim Imhoff stated that he will not be able to attend the February meeting. Richard Hinsman asked whether the March meeting could be rescheduled, because he will not be able to attend the meeting. Jim Imhoff stated that he would prefer having the meeting as scheduled.

**LEGISLATIVE UPDATE**

Nothing to report.

## **ADMINISTRATIVE RULES**

Clete Hansen said that the rule draft relating to classroom education and distance learning has been prepared and will be sent to the Rules Clearinghouse in a few days. A hearing will be scheduled as soon as permissible, probably at the March meeting.

## **REPORT OF THE CONTRACTUAL FORMS ADVISORY COUNCIL**

Jim Imhoff and Clete Hansen reported that the residential listing and offer are almost ready. A final review of the printer's proof still has to be done and a final copy will be sent to the Council members for a final individual review. The Council will meet on February 12, 1999, and review drafts of the vacant land, farm and condominium listing and offer, plus the Buyer Agency Agreement. The Council will probably finalize its review of these forms at the next meeting.

## **REPORT OF THE COUNCIL ON REAL ESTATE CURRICULUM & EXAMINATIONS**

Clete Hansen reported for Nancy Gerrard, stating that the Council has pretty well finished its work for now. It may be necessary for the Council to review exam specifications in the not-too-distant future, because PSI has asked the Department to conduct such a review of the state portion of the pre-license exams. The Council has finalized the course outlines for the 1999-2000 licensing biennium and for the test-out examination. The Council has also had a chance to review the rule draft and has finished its work on the draft.

## **REAL ESTATE CONTINUING EDUCATION REQUIREMENTS**

The Board discussed letters received from Jack McManus and Donald Turek, requesting an exemption from the continuing education requirements, based on age. The board informally indicated that it does not wish to change the statutes and provide for such an exemption. The Board requested that Cletus Hansen convey the Board's decision in this matter to McManus and Turek.

## **MISCELLANEOUS CORRESPONDENCE/INFORMATION**

Noted screening statistics of December 10, 1998. Noted the article regarding the Web's effect on the real estate business.

## **NEW BUSINESS**

Jim Imhoff suggested that in April or May the Board should schedule a hearing, beginning at noon, to provide interested persons an opportunity to discuss issues relating to affinity groups and referral fees. The purpose of the hearing would be to determine whether there may be a need for rulemaking to correct abuses. Board members concurred with the recommendation.

Jim Imhoff stated that there may be some misunderstandings about the statutes and rules, relating to branch offices being supervised by brokers. He requested that Donald Rittel bring some relevant documents to the next meeting, so that the Board can review the requirements and discuss whether the statutes or rules need revision.

## **PUBLIC COMMENT**

No comments from the public were received.

## **RECESS TO CLOSED SESSION**

**MOTION:** Richard Hinsman moved, seconded by Richard Kollmansberger, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, monitoring reports, deliberations on stipulations that may be signed after printing of the agenda, and disciplinary proceedings. Motion carried by a roll call vote: Richard Kollmansberger-yes; Harold Lee-yes; Richard Hinsman-yes; Bettye Lawrence-yes; Jim Imhoff-yes.

Open Session recessed at 10:40 a.m.

The Board received a copy of the Division of Enforcement Case Status Report.

The Board deliberated on monitoring issues, case closings, an order fixing costs, and stipulations.

Final voting on these issues was conducted in Open Session.

## **RECONVENE IN OPEN SESSION**

**MOTION:** Bettye Lawrence moved, seconded by Harold Lee, to adjourn the Closed Session to reconvene in Open Session at 11:08 a.m. Motion carried unanimously.

## **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

### **CASE CLOSINGS**

**MOTION:** Harold Lee moved, seconded by Richard Kollmansberger, to close the following cases presented by the Division of Enforcement. Motion carried unanimously.

95 REB 295  
Thomas Younk

98 REB 083  
Thomas Younk

98 REB 073  
Thomas Younk

98 REB 072  
Gary A. Parker  
First Security Realty World

98 REB 068  
Charles Rhein  
Rhein Realty, Inc.

98 REB 094

98 REB 220  
Thomas Younk  
Charlene Nasgovitz  
Younk's For Rest, Inc.

First Weber Group  
Robert R. Weber  
Lisbeth H. Rogers

97 REB 068  
Thomas Younk  
Charlene Nasgovitz  
For Rest Inc.

98 REB 102  
Willard Seiffert  
Burnet Realty, Inc.  
Tobin Sauro

97 REB 167  
Richard Montgomery  
The Montgomery Company of WI

98 REB 104  
William L. Johnson  
Joseph Gilson

96 REB 234  
Thomas Younk  
Younk's For Rest, Inc.

98 REB 140  
Nicholas Ladopoulos  
Sofronis Strinopoulos

98 REB 221  
Thomas Younk

98 REB 152  
Deneen Weinz  
Lori Gonion

98 REB 076  
Thomas Younk

## **STIPULATIONS**

### **Peter W. Knapp (Mequon, WI)**

**MOTION:** Harold Lee moved, seconded by Richard Kollmansberger, to accept the Stipulation, Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving **PETER W. KNAPP**. Motion carried unanimously.

### **George H. Nelson (Wisconsin Dells, WI)**

**MOTION:** Richard Hinsman moved, seconded by Harold Lee, to accept the Stipulation, Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving **GEORGE H NELSON**. Motion carried unanimously.

### **Thomas J. Younk and Younk's For Rest, Inc. (Pound, WI)**

**MOTION:** Richard Kollmansberger moved, seconded by Richard Hinsman, to accept the Stipulation, Findings of Fact, Conclusions of Law and Order in the disciplinary matters involving **THOMAS J YOUNK AND YOUNK'S FOR REST, INC.** Motion carried unanimously.

## **ORDER FIXING COSTS**

### **Robin R. Babb and Raymond C. Babb (Gays Mills, WI)**

**MOTION:** Richard Kollmansberger moved, seconded by Richard Hinsman, to accept the Order fixing costs, relating to disciplinary matters involving **Robin R. Babb and Raymond C. Babb**. Motion carried unanimously.

### **MONITORING**

**Joan M. McIntyre (Greenville, WI)**

**MOTION:** Harold Lee moved, seconded Richard Hinsman, to grant the request for reinstatement of the real estate broker's license of **JOAN M. MCINTYRE**. Motion carried unanimously.

### **ADJOURNMENT**

Adjournment at 11:15 a.m.

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